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Application Number: 10/736,100

REMARKS/ARGUMENTS*Response to "Response to Arguments" from the final office action*

The Examiner's Response to Arguments in the final office action from 12th October and the subsequent telephone conversation with the Examiner and his supervisor on 13th December, 2010 highlighted a misinterpretation of the current application, in that the term "respondent" was not considered to be referring to a human by the Examiner in the application. In fact the dictionary definition of the term "respondent" is "a *person* who responds or makes reply" (www.dictionary.com) thereby nullifying any arguments which refer to a non-human – as in the case of Olson's application which is cited throughout the rejection.

In addition the Examiner misinterprets the word "survey" as used in the current application, stating that the term "survey" means "to examine as to condition, situation, or value". This is in fact the incorrect definition of the term "survey" as used in the current application. The term "survey" as used in the current application is qualified by the term "questionnaire" (ie "questionnaire survey") In this instance, the term "survey" as used in the current application is defined as: "a sampling, or partial collection, of facts, figures, or opinions taken and used to approximate or indicate what a complete collection and analysis might reveal" (www.dictionary.com). As such the term "survey" as in "questionnaire survey" can not apply to Olson's application.

In addition the Examiner misinterprets the word "rational" stating throughout his arguments that "rational" is the same as "logical" (as used in Olson's application). Whereas both terms "rational" and "logical" can apply to humans, only the term "logical" can apply to a computer, as computers can not be described as being rational or showing rational decisions as they do not have the ability to reason. As such usage of the term "rational" in the current application

Application Number: 10/736,100

can not be compared to the term "logical" in Olson's application, as Olson refers to a computer as performing the logical function.

Regarding the "Response to Arguments" from the final office action specifically:

12-13

Following an interview with the Examiner and his supervisor on 13th December, 2010 the reason for the Examiner's observation was discussed, The limitation that the current invention can only be run on a computer, as per the Specification needed to be stated in the claims. This has now been amended in claims 1, 3, 7, 8, 9, 10, 19, 20, 21, 22, 23 accordingly.

14.

The Examiner submits that the term "survey" means by definition "to examine as to condition, situation, or value". This is indeed one definition, but is relevant for examining (looking at), such as "He got out of the car to survey the damage"; or "Before the new railway was built, its route was carefully surveyed" (see Cambridge Dictionaries Online). The applicant respectfully disagrees with the use of this definition in the current invention, as the current invention limits the survey to a "questionnaire survey". In this instance, therefore, the term "survey" means by definition "to ask people questions in order to find out about their opinions or behaviour" (Cambridge Dictionaries Online). which is something Olsen does not teach.

In addition Olsen actually teaches questions are for consulting and evaluating in order to detect deception (Olsen Abstract; [0006]; [0011]; [0020]) as with an interview, the term "interview" by definition being "a formal meeting in which one or more persons question, consult, or evaluate another person" (www.dictionary.com). In fact Olsen (US 2004/0018477 A1) utilises the term "interview" throughout the specification of his invention; the term "survey" is not used.

Application Number: 10/736,100

Therefore as patent application Olsen (US 2004/0018477 A1) does not “ask people questions” it can not be considered as a questionnaire survey as with the current invention.

Furthermore the Examiner states “Olsen states (Olsen, [0013]) ”a simulator for interpersonal training comprising logical and emotional components...” (rational and emotional)”.

However the logical and emotional components in Olson’s invention are limited solely to the simulator, the logical component within the simulator deciding which emotional state to portray (Olson; [0018]). In the current invention the rational and emotional components are limited exclusively to the two sets of questions which are asked, the first set being asked in a way so that they are answered by a human respondent emotionally and the second set being asked in a way, so that they are answered by a human respondent rationally. Due to these differing limitations, there is no correlation between the “logical and emotional” components of Olson’s application and of the “rational and emotional” components of the current invention.

15

The Examiner states that the “Applicant has not claimed that a respondent being a human”.

The Applicant respectfully disagrees. By definition, a respondent is a person, the term

“respondent” being defined as “a person who responds or makes reply”

(www.dictionary.com), “One who responds” (www.thefreedictionary.com), “a person who answers a request for information” (Cambridge Dictionaries Online)

16.

The Examiner states that “Olsen teaches the limitation (Olsen, [0048]) “The user may elect to end the interview (step 124) at any time....The student’s decision along with the quality of the interview are used to calculate and display an interview score.” At the time of the invention, electronic survey questionnaires performed on a computer could indeed give a result at the end of the survey and display this result to the respondent. This is what Olson describes in his invention. However such state-of-the-art survey techniques can not measure human

Application Number: 10/736,100

satisfaction and display a meaningful result at the end of the survey, as the emotional component can not be filtered out with state-of-the art questionnaire techniques. However with the current invention, which poses limitations on the questionnaire survey, such that it is intended for measuring human satisfaction only, this now becomes possible due to the repeatability of the invention. This is fully discussed in the Description of the current Invention ([0017]) and in the Brief Summary of the Invention ([0018]-[0021]) and is claimed in claims 1, 13 and 15.

17.

The Examiner states "Therefore, Internet or web (Olsen, [0115],[0041]) is part of the WAN as defined in applicant's specification". The Applicant respectfully disagrees. Claim 19 describes a process which is limited by collating inputs not only from the survey originator's own entity but also from several entities in the same industry on a standalone system, over a LAN or over a WAN in order to perform cross-entity benchmarking for a satisfaction survey. This collation would be typically performed over an intranet or the internet. The current invention is not intended to be employed over a WAN such as the internet. In Olsen's specification, however, use of the internet is limited to the employment of his invention only ie employ the programme over the internet (Olson [0115]).

18

The Examiner quotes the locations of the phrases "emotional component" and "logical component" in Olson's specification as being the reason why the processes which manipulate the emotional responses and rational responses from a respondent according to the current invention can not be claimed in Claims 19-21,23. The Applicant respectfully disagrees. The logical and emotional components in Olson's invention are limited solely to the simulator, the logical component within the simulator deciding which emotional state to portray (Olson; [0018]). In the current invention the rational and emotional components are limited exclusively to the two sets of questions which are asked of a human respondent, the first set

Application Number: 10/736,100

being asked in a way so that they are answered by a human respondent emotionally and the second set being asked in a way, so that they are answered by a human respondent rationally. Due to these differing limitations, there is no correlation between the “logical and emotional” components of Olson’s application and of the “rational and emotional” components of the current invention.

It should be noted that the current invention deliberately uses the term “rational” throughout whereas Olson’s invention uses “logical” throughout. The reason for this, is because Olson’s logical component is devoid of human intervention, as it is conducted in the system only (Olson [0018]) whereas the rational component of the current invention is the response of a human respondent to the second set of questions. The two terms “logical” and “rational” are not the same and can not be used interchangeably. This is exemplified by the fact that the term “logical” can be applied to both humans and computers, whereas the term “rational” can only be applied to humans.

19

The Examiner states “An ordinary skill in the art would have combine results from many respondents for a general overview of a survey” (sic). Whereas this is true generally for a questionnaire survey, this is not applicable to a questionnaire survey with the limitation of being purely to measure respondent satisfaction only, as with the current invention. This would also have been obvious to one of ordinary skill in the art. This is discussed fully in the Description of the current invention ([0017]) and in the Brief Summary of the Invention ([0018]-[0021]) and is claimed in claims 19, 20, 21, 22 23.

20

The Examiner quotes the locations of the phrases “emotional component” and “logical component” in Olson’s specification as being the reason why the processes to give a true indication of respondent satisfaction to an electronic questionnaire survey which is characterised by asking the respondent or plurality of respondents to give their answers to two

Application Number: 10/736,100

sets of questions with both sets of questions being based on similar statements, but posed differently, so that the first set of questions are answered emotionally by the respondent and the second set of questions are answered rationally according to the current invention can not be claimed in Claim 1. However, Olsen's invention can not be used to create a satisfaction survey, nor measure the satisfaction of a human respondent as with the current invention and claimed in Claim 1. Olsen's invention is a computer programme to train students in interview techniques (Olsen [Abstract]). The only entity being asked questions in Olson's invention, is a computer generated human. The satisfaction of this computer generated human is never questioned, established, nor is it presented to the user, nor would it make sense to.

4 (sic)

The Examiner states that "In response to applicant's argument that the references fail to show certain feature of applicant's invention, it is noted that the features upon which applicant relies are not recited in the rejected claims(s)". The original rejection pertains to the ranking process at the time of the survey, which is indeed mentioned in Claim 1 ("ranking the responses to both said sets of questions") and to the way the questions are dynamically altered for the second set of questions, which is indeed mentioned in Claim 5. Claim 1 has been rewritten to include this point, however.

21

The Examiner states "Since a user decides how many questions to ask, therefore the user can manually distributed in number of questions amongst the groups".(sic). The current invention requires a number of groups to be defined and ranked by the survey initiator. Based on the number of groups, the number of statements per group is calculated. Each group then has an identical number of statements (calculated based on the number of groups) which are relevant to that group. The statements within that group are then ranked by the survey initiator. This procedure sets the limits for the questionnaire survey and is required for the current invention.

Application Number: 10/736,100

This process is discussed fully in the DETAILED DESCRIPTION OF AND THE BEST MODE OF CARRYING OUT THE INVENTION ([0033] – [0048]) and is claimed in claim 2.

In contrast Olson does not allow the number of groups to be defined nor does it calculate the number of questions allowed per group depending on the number of groups as with the current invention, nor does it rank the groups in order of importance to the survey initiator, nor does it rank the statements within the groups, as required with the current invention. These limits, as defined in the current invention, are necessary in order to conduct a satisfaction survey according to the current invention. Olson does not set such limits as Olson's invention is not intended to conduct a satisfaction survey.

22.

The Examiner quotes the locations of the phrases “emotional component” and “logical component” in Olson's specification as an example of how Olsen discloses two sets of questions and poses questions so that they may be answered rationally or emotionally and therefore can not be claimed in Claim 3. The logical and emotional components in Olson's invention are limited solely to the simulator however, with the logical component within the simulator deciding which emotional state to portray (Olson; [0018]). Olson's invention does not pose a set of questions to a human respondent to be answered initially emotionally and then rationally.

23

The Examiner states that for Claims 5 and 6 of the current invention that “Applicant has not claimed dynamically generated at the time of the questionnaire”. The applicant respectfully disagrees: both the previous Claim 5 and the currently amended Claim 5 refer to defining the second set of questions dynamically by grouping statements together based upon the answers to the first set of questions at the time of the questionnaire.

Application Number: 10/736,100

Claim Rejections

The following arguments are a duplicate of the arguments from the applicant's previous response from 14th June 2010, as the previous rejections from 15th March, 2010 from the Examiner were simply repeated in the final office action from 12th October, 2010. The arguments still apply for all the above reasons and are repeated here accordingly for completeness.

Claims 1-3, 5-10, 13, 15 and 19-23 are pending in this application. All claims have been rejected. These reasons for rejection are respectively traversed.

Claim Rejections – 35 USC § 101

Claims 1-3, 5-10 are rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter.

The Claim Rejection states that "The use of a specific machine or transformation of an article must impose meaningful limits on the claim's scope to impart patent-eligibility" In a telephone interview with the examiner and his supervisor on 13th December, 2010 it was established that the current invention imposes the necessary limits through the use of a computer to execute the process as claimed. However the claims need to be amended to include this fact. The claims have been amended accordingly.

Claim Rejections – 35 USC § 112

Claims 1 - 3, 5 - 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The reason for the rejection of claims 1 - 3, 5 - 10 is respectfully traversed.

The Claim Rejection states that "the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that

Application Number: 10/736,100

the inventor, at the time the application was filed, had possession of the claimed invention.

Claim 1 and Claim 2 are cited.

The added limitation in Claim 1 "recording values for satisfaction and level of conviction, both of which can be presented to said respondent at the time of said survey" can be found in the Specification in the Description [0018] "The invention also ensures that the resulting responses to both sets of survey questions are given calculated values based upon the respondent's level of conviction. By comparing the results of the emotional and rational responses, a true value of respondent satisfaction can be obtained"; in the Abstract "by structuring the system and method of the electronic questionnaire survey in accordance with a strict set of guidelines, it is possible to measure a respondent's views on any subject matter both emotionally and rationally, together with the respondent's level of conviction"; in the Description [0018] "....the respondent....is assured of an assessment of their own inputs immediately following completion of the questionnaire survey"; in the Description [0144] "The Display Summary block (203) outputs a textual summary as well as a graphical report to the respondent immediately following completion of the questionnaire survey"; in the Description [0145] "An example of a typical graphical output from the preferred embodiment is shown in FIG. 8..."

The added limitation in Claim 2 "ranked within the group according to the importance of the statement to the survey initiator" can be found in the Specification - Description [0040] "For the second task, Statement Block 1 is defined (011) whereby in each of the N Categories ($N = 4$ in the above example), n statements are defined (where $n = N$) ranked and assigned a value depending on their ranking ($C_N Q_n, C_1 Q_1$ where N and n both indicate the highest rank)."

Claims 2-3, 5-10, 13, 15, 19-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Application Number: 10/736,100

Following a telephone interview with the examiner and his supervisor on 13th December, 2010 it was established that this rejection was as a result of the incorrect format of both dependent and independent claims. The format has now been amended according to the requirements, as communicated.

Claim Rejections – 35 USC § 102

Claims 13, 15, 19-21, 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Olsen (US 2004/0018477 A1). The reason for the rejection of claims 13, 15, 19-21, 23 is respectfully traversed.

Background

Olsen (US 2004/0018477 A1) describes “a computer based training tool and method that emulates human behaviour using a computer-simulated person in a realistic scenario. It provides an interactive experience in detecting deception during interviews and acceptance of statements during interpersonal conversation” (Olsen, Abstract). The patent application clearly describes a tool for students who want to hone their skills at interrogation techniques (Olsen [0011]; [0020]; [0036]), using a computer to simulate the responses and emotional well being of a human subject (Olsen [0038]). The student chooses questions to ask from a list of questions and assesses the response of the simulated human orally (by listening to the simulated human’s response) and visually (by observing physical gestures of the simulated human) (Olsen [0038]). As such Patent Application Olsen (US 2004/0018477 A1) can not be used for surveys in particular satisfaction surveys; nor does it attempt to ask sets of rational and emotional questions in order to quantify the responses to both questions and use the results to measure the respondents level of satisfaction as with the current invention; nor does it attempt in any way to dynamically alter the sets of questioned asked in response to answers given to prior questions as with the current invention; nor does it display results to the

Application Number: 10/736,100

respondent immediately after completion of the questionnaire, as the respondent isn't in fact a real person but a simulated human, called Mike in the Patent Application (Olsen, [0037]).

There is therefore no correlation between Olsen (US 2004/0018477 A1) and the current invention. There is also no possibility for one of ordinary skill in the art at the time of the invention to anticipate the current invention based on Olsen's application.

RE claim 13:

The previously presented claim used the past perfect tense ("having stored responses") where "stored" is a verb; however the author recognises that this claim could also be read with the word "stored" interpreted as an adjective. As such the claim has been rewritten for clarification purposes.

Olsen describes a system with questions and responses being pre-defined and stored in a computer (Olsen, Abstract; [0053]). A student then has to select one of several pre-defined questions (Olsen, [0037]) to which the computer program responds (Olsen, [0039]). The selected questions and computer generated response are then stored in the computer for future analysis (Olsen, [0113]). In the current invention however, questions are posed to the respondent and the responses are stored.

The current invention takes responses to the first part of the questionnaire, evaluates them and dynamically creates a second set of questions to be answered by the respondent. Olsen, however, describes a tool which allows a student to select questions to ask the computer (Olsen, [0037]), to which the computer responds with pre-programmed answers, which are chosen based on a logical rules-set (Olsen [0018]).

Olsen's invention therefore stores the flow of the programme - consisting of which questions were asked and which responses the computer generated. The current invention, however, asks questions, stores the corresponding results, defines a new set of questions to present and stores the corresponding result.

Application Number: 10/736,100

There is also no capacity in Olsen's application to display the results to the respondent as with the current invention, nor does it make any sense to, as the respondent is a computer generated human.

As such, there is no correlation between the methodology of Olsen and the methodology of the current invention. There is also no possibility for one of ordinary skill in the art at the time of the invention to anticipate the current invention based on Olsen's application. The Claim Rejection therefore has no basis.

RE claim 15:

There is no capacity in Olsen's application to display the results either graphically and/or as text to the respondent as with the current invention, nor does it make any sense, as the respondent is a computer generated human. This is not to be confused with the fact that Olsen's application is able to provide a critique and numerical score for each training session to the student (Olsen, Abstract), assigning a score which is based on how well the student managed to identify all the clues presented (Olsen, [0103]). But this methodology of giving a score based on the number of correct responses is typical of state-of-the-art question/answer questionnaires. In the current invention, however, which is a questionnaire designed to measure human satisfaction and extract human emotion from the responses, there are no right and wrong answers, meaning that at the time of the invention a score cannot be given to the responses as with a state-of-the-art right/wrong questionnaire.

As such, there is no correlation between the methodology of Olsen and the methodology of the current invention. There is also no possibility for one of ordinary skill in the art at the time of the invention to anticipate the current invention based on Olsen's application. The Claim Rejection therefore has no basis.

Re claims 19-21,23:

[Claim 19] Olsen describes a stand-alone program (the "interview") which may be run on a single computer or distributed on a DVD or the Internet (Olsen, [0115]), however he does not

Application Number: 10/736,100

describe – nor does it make sense for results to be collated from several sources over a network, to compare them and benchmark the results, as with the current invention. As such, the Claim Rejection has no basis.

[Claim 20] The “emotional component” in Olsen’s application refers purely to which emotional state the computer generated human is intended to show visually and/or audibly (Olsen, [0019]), nor is a value assigned to the “emotional component” at any time. In the current invention, however, the emotional responses to the first set of questions are actively used by assigning a value and subsequently using this value to both generate a second set of questions and to derive a value for satisfaction. There is therefore no correlation between Olsen’s “emotional component” and the “emotional responses” of the current invention. As such, the Claim Rejection has no basis.

[Claim 21] The “logical component” in Olsen’s application selects the response to be given both visually and audibly by the computer generated human to the student’s selected question (Olsen, [0018]). Also no value is assigned to the “logical component” at any time, as with the current invention. In the current invention, however, the rational responses to the second set of dynamically generated questions are actively used by assigning a value to them and subsequently using this value to derive a value for satisfaction. There is therefore no correlation between Olsen’s “logical component” and the “rational responses” of the current invention. As such, the Claim Rejection has no basis

[Claim 23] Olsen’s application does not consider a survey originator interested in collating results from numerous students, and then summarising the results or benchmarking the results. In fact Olsen’s application is for, and only makes sense as, a purely stand-alone system run on a computer (Olsen, [0115]). The usage of the system is to assess a student’s interview techniques and skills using trait recognition (Olsen, [0115]). As such, the Claim Rejection has no basis.

Application Number: 10/736,100

[Claims 19-21, 23] For the reasons stated above, the prior art structure of Olsen bears no correlation whatsoever to that claimed in claims 19-21, 23 nor would it be possible for one of ordinary skill in the art at the time of the invention to modify Olsen's application accordingly, meaning there is no basis for the Claim Rejection.

Claim Rejections – 35 USC § 103

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olsen (US 2004/0018477 A1). The reason for the rejection of claim 22 is respectfully traversed.

The examiner takes Official Notice that it was old and well known to combine responses from other respondents. However in view of Official Notice, it would have been obvious to one of ordinary skill in the art, at the time of the invention, that this is not always possible and does not always make sense. For example, in a satisfaction survey, for which the current invention is intended, techniques have to be used in order to make the results more accurate, as there is always an inherent human emotional influence which skews the results and has to be filtered out, typically by making use of a statistical analysis of a number of results. The results of a single survey make no sense taken in isolation and cannot therefore be used in combination with others. This is discussed fully in the Specification of the current invention [0012]-[0016]. As such, at the time of the invention, it would not have been possible to simply take the outputs of a satisfaction survey and combine the results from other respondents as stated in the Official Notice. Only by using the current invention is this problem solved, so that it does indeed now become possible.

Also Olsen does not disclose adding the results of the emotional responses and the rational responses, because there are no emotional or rational (logical) responses to be added – the output from the program is a score and not an emotional or logical response (Olsen, [0103]). Of course, with a state-of-the-art question/answer questionnaire such as that proposed by

Application Number: 10/736,100

Olsen it is well known to combine such scores from other respondents for comparison and benchmarking purposes.

The system/method described in Olsen does not relate to a satisfaction survey, to the measurement of emotional responses or to the measurement of rational responses and so cannot be used as grounds for rejection of the current claim even in light of the Official Notice.

Claim 22 therefore has no limitations so that Claims 19-21, 23 are also unaffected by this Claim Rejection.

As such, the vast differences between Olsen (US 2004/0018477 A1) and the current invention are such, that the subject matter as a whole would not have been obvious at the time of the invention to a person having ordinary skill in the art.

Claims 1-3, 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olsen (US 2004/0018477 A1) in view of Frost (US 5041972 A).. The reason for the rejection of claims 13, 15, 19-21, 23 is respectfully traversed.

Re claim 1:

The Examiner states that Olsen discloses a system and method to give a true indication of respondent satisfaction to an electronic questionnaire survey which is characterised by asking the respondent or plurality of respondents to give their answers to two sets of questions with both sets of questions being based on similar statements, but posed differently, so that the first set of questions are answered emotionally by the respondent and the second set of questions are answered rationally.

However the system disclosed by Olsen:

- a) has a respondent which is computer generated and is therefore void of human emotion
- b) does not attempt to measure human satisfaction

Application Number: 10/736,100

- c) is not one that can be used in a survey
- d) does not consist of two sets of similar questions
- e) does not divide the questions into ones that can be answered emotionally and ones that can be answered rationally.

As such, this statement from the Examiner and all subsequent arguments based on it are not valid. As such, the vast differences between Olsen (US 2004/0018477 A1) and the current invention are such that the subject matter as a whole would not have been obvious at the time of the invention to a person having ordinary skill in the art.

In addition, the Claim Rejection also refers to Frost (Col 4, lines 9-20) to discuss ranking. However the ranking referred to "in the discrimination index" (Frost Col 4, line 16) is fixed prior to making the "final quantitative interviews" (Frost Col 4, lines 16-17) and therefore not altered at the time of the survey as required by the current invention. Also the ranking methodology as described in Frost, (col 8, lines 40-68; col9, lines 1-11) are performed at the statistical analysis stage (Frost, col 8 line 34) and not at the time of the survey, as with the current invention. This method of performing statistical analysis on the results obtained from a state-of-the-art survey to improve results is discussed fully in the Specification of the current invention ([0012]).

As such Frost describes a state-of-the-art methodology and not a methodology as described in the current invention. Nor would it have been possible for someone having ordinary skill in the art at the time of the invention to adapt Frost's process accordingly.

Re claims 2-3:

[Claim 2] It is common for state-of-the-art questionnaires to group questions into different categories as with Olsen (fig 3, fig5, [0045]) but there is no limitation or specification as to the number of questions required in each group. However the current invention requires statements (and not questions) to be equally distributed in number amongst the groups and to

Application Number: 10/736,100

be ranked in a way that enables the responses to the resulting questions to be used for the latter part of the questionnaire.. This process is specific to the current invention. Despite the fact that the Claim Rejection has no basis, the claim has been amended to make this fact clearer.

[Claim 3] Olsen does not discuss two sets of questions nor does he discuss posing questions so that they may be answered rationally (logically) or emotionally. The logical and emotional parts of Olsen's system are used purely to determine what response to give the student and with what emotional output (Olsen, [0018]-[0021]).

As such the Claim Rejection has no basis, nor would it have been obvious at the time of the invention to a person having ordinary skill in the art to adapt Olson accordingly.

Re claims 5-7:

[Claim 5-6] Olsen's system does not have two sets of questions, so a second set cannot be dynamically generated at the time of the questionnaire as with the current invention. Also in Olsen's system the questions (and responses) are pre-programmed into the system and are not altered at any time (Olsen, Abstract). As such the Claim Rejection has no basis, nor would it have been obvious at the time of the invention to a person having ordinary skill in the art to adapt Olson accordingly.

[Claim 7] Olsen describes a questionnaire which the student has to answer at the end of the "interview" which forces the student to make a decision on the honesty of the computer generated human (Mike) (Olsen, [0076]). However the art of this questionnaire is not discussed so it is not possible to say whether the answer given will be emotional or logical or a mixture of both. In contrast the current invention claims a process where a second set of questions is dynamically defined at the time of completion, which can only be answered rationally.

Application Number: 10/736,100

As such the Claim Rejection has no relevance to the current claim and therefore has no basis, nor would it have been obvious at the time of the invention to a person having ordinary skill in the art to adapt Olson accordingly.

Re claims 8-10:

[Claim 8-9] In Olsen [0065]-[0068] a system is described which controls and updates the emotional state of the computer generated human. Part of this system includes a “random number generator” to assign “weights to each state” (Olsen [0065]). This weighting is therefore used to set an initial state of the system and subsequently used to control the flow of the system (Olsen [0066]). Finally, when a target state is reached, the weight is changed (Olsen [0068]). The initial weights therefore have no bearing on a response from the student (as they are randomly generated) and are continually being recalculated to affect the flow of the program, so that the program can then decide how a response will be delivered to the student, both audibly and visually. The current claims, in contrast, describe methods which calculates a single value called the “level of conviction” (or a “weight” in statistical terms) which is a single value and is a combination of the answers given by the respondent to both the first set and second set of questions. As such the Claim Rejection has no basis, nor would it have been obvious at the time of the invention to a person having ordinary skill in the art to adapt Olson accordingly.

[Claim 10] Olsen [0100]-[0113] summarises how a score is calculated for the student. The score is dependent on (and made up of):

- a) whether the student has correctly identified if the computer generated human (Mike) is truthful or deceptive (Olsen [0104])
- b) whether the student has asked good questions (Olsen [0107])
- c) whether the student has correctly identified each clue (Olsen [0108])
- d) whether the student has asked less than 100 questions (Olsen [0111])

Application Number: 10/736,100

There is only a single score generated by the system (Olsen [0111]). As such, there is no comparing of responses to generate a final value as with the current claim, as there aren't two set of responses to compare.

As such the Claim Rejection has no relevance to the current claim and therefore has no basis, nor would it have been obvious at the time of the invention to a person having ordinary skill in the art to adapt Olson accordingly.

Summary of claim amendments:

Following a telephone conversation with the Examiner and his supervisor on 13th December, 2010, the following formal requirements for the claims were also discussed:

- 1) Each claim should be consistently referred to as a "process"
- 2) Each Independent claim (1, 13, 19) should be in a list format and consist of more than a single step claim
- 3) Each Dependent claim should be simplified and illustrate a single step
- 4) The terms "such as" should be avoided
- 5) Each claim should set limits. As the current application necessitates the use of a computer to perform its function, the term "on a computer" would suffice to set the necessary limits.

(In addition it was stated that references to the claims in the specification should be removed.)

Claim1 has been rewritten to highlight the steps in a list; the limitation of the questionnaire survey being used to measure human satisfaction has been included; the limitation of using a computer has been included; the step of dynamically generating the second set of questions has been added; the results of the questionnaire which can be displayed on completion of the questionnaire have also been included.

Application Number: 10/736,100

Claim 2 has been rewritten to include the fact that the step is a process, that the pre-defined groups are initially ranked; that the number of statements per group can not be arbitrarily chosen, but is calculated.

Claim 3 has been rewritten to include the fact that the step is a process and that the process is limited to being performed on a computer

Claim 5 has been rewritten to include the fact that the step is a process, that the process is limited to being performed on a computer and corrects an error (questions instead of statements)

Claim 6 has been cancelled

Claim 7 has been rewritten to include the fact that the step is a process, that the claim now refers to claim 5, that the process is limited to being performed on a computer and clarifies which questions are being dynamically rearranged.

Claims 8 - 10 have been rewritten to include the fact that the step is a process and that the process is limited to being performed on a computer

Claim 13 has been rewritten to highlight the steps in a list and has had the term "such as" removed.

Claim 15 has been rewritten to highlight the steps in a list; the limitation of the questionnaire survey being used to measure human satisfaction has been included

Claim 19 has been rewritten to highlight the steps in a list and has had the term "such as" removed. Also the term "like-minded survey originators" has a limit set to those who conduct a similar survey.

Claims 20 - 23 have been rewritten to include the fact that the step is a process and that the process is limited to being performed on a computer

Claims 22 and 23 have been rewritten to clarify that the term "level of conviction" also represents the "weighted score".